


SOLID WASTE DISPOSAL ACT8-57. Coal Combustion Residuals Unit Enforcement Determination

1. **AUTHORITY.** Pursuant to Section 4009(d)(4)(B)(i)(II) of the Solid Waste Disposal Act (42 U.S.C. § 6945(d)(4)(B)(i)(II)), to make determinations that an enforcement action is likely to be necessary to ensure that a coal combustion residual unit is operating in accordance with criteria established under a CCR permit program or other system or prior approval and conditions.
2. **TO WHOM DELEGATED.**
  - a. Director, Enforcement and Compliance Assurance Division.
  - b. Director, Land, Chemical and Redevelopment Division.
3. **LIMITATION.** Either division director (or his/her designee) exercising this authority shall notify the other division director referenced above (or his/her designee) prior to exercising that authority. Either division director may also waive receipt of such notification.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
  - a. Water Infrastructure Improvements for the Nation Action Section 2301, Subtitle C – Control of Coal Combustion Residuals.
  - b. Delegation of Authority 8-10-A, Civil Judicial Enforcement Actions, Including Collection Actions.
  - c. Delegation of Authority 8-9-A, Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc.

  
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Gregory Sopkin  
Regional Administrator  
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Date